

Customer No.	026418	Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)	Page 1
Prepared from FORM PTO-1390			
Attorney's Docket No.:	<b>GK-EIS-1106/500593.20099</b>		
U.S. Application No.:	<b>10/577,508</b>		
International Application No.:	<b>PCT/EP2004/012200</b>		
International Filing Date:	<b>OCTOBER 28, 2004</b>	<b>28 OCTOBER 2004</b>	
Priority Date Claimed:	<b>OCTOBER 31, 2003</b>	<b>31 OCTOBER 2003</b>	
Title of Invention:	<b>INFRARED RECEIVER UNIT AND INFRARED HEADPHONE/HEARING AID (INFRAROT-EMPFANGSEINGEIT UND INFRAROT-KOPFHÖRER/HÖRHLIFE)</b>		
Applicant(s) for (DO/EO/US):	<b>Rolf MEYER and Wolfgang NIEHOFF</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- 4. The US has been elected (Article 31).
- 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a)  is attached hereto (required only if not communicated by the International Bureau).
  - b)  has been communicated by the International Bureau.
  - c)  is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a)  is attached hereto
  - b)  has been previously submitted under 35 U.S.C. 154(d)(4).
- 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a)  are attached hereto (required only if not communicated by the International Bureau).
  - b)  have been communicated by the International Bureau.
  - c)  have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d)  have not been made and will not be made
- 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- 9. An EXECUTED Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

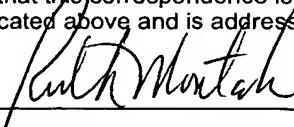
**Items 11. to 20. Below concern other document(s) or information included:**

- 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- 13. A preliminary amendment
- 14. An Application Data Sheet under 37 CFR 1.76
- 15. A substitute specification with abstract (attached to the preliminary amendment)
- 16. A change of power of attorney and/or address letter
- 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
- 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- 20. (other items or information) **371 Formalities Letter, PTO-1449 w/Search Report (PCT/ISA/210) February 25, 2005**  
**4 first pages US Patents, 1 GB document, 2 EP documents, 3 DE documents w/1 English Abstract and 1<sup>st</sup> page US equivalent.**

EXPRESS MAIL No.: **EL 963 992 956 US**

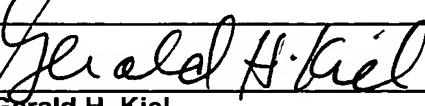
Deposited: **January 3, 2007**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 1450

  
**/Ruth Montalvo Date: January 3, 2007**

U.S. Application No. (if known, see 37 C.F.R. 1.50): **10/577,508**  
 International Application No.: **PCT/EP2004/012200**

Attorney's Docket No: **GK-EIS-1106/500593.20099**

The following fees are submitted:				Applicant use	Office use only
[ ] 21 Basic national fee (37 CFR 1.492(a)) \$ 300.00				\$	
[ ] 22 Examination fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4) \$ 0.00 All other situations..... \$200.00				\$	
[ ] 23 Search fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Searching Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by IB \$400.00 All other situations..... \$500.00				\$	
<b>TOTAL OF ABOVE CALCULATIONS:</b>				\$	
[ ] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (b) or computer program listing filed in an electronic medium) 37 CFR 1.492(j)). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number.)		Rate	
- 100 =	/50 =			X \$ 250.00	\$
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))				\$	
Claims	Number Filed		Number Extra	Rate	
Total Claims:	<b>12</b>	- 20	<b>0</b>	X \$ 50.00	
Independent Claims:	<b>1</b>	- 3	<b>0</b>	X \$ 200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 360.00	
<b>TOTAL OF ABOVE CALCULATIONS:</b>				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]				+ \$ 130.00	
<b>TOTAL OF ABOVE CALCULATIONS:</b>				\$ 130.00	
[ ] Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity				-	
				<b>SUBTOTAL:</b>	\$ 130.00
Processing fee of \$130.00 for furnishing the English Translation later than [ ] 20 [X] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]				+ \$ 130.00	
<b>TOTAL NATIONAL FEE:</b>				\$ 260.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property				+ \$	
				<b>TOTAL FEE(S):</b>	\$ 260.00
01/05/2007 ATRAN1 00000069 10577508				AMOUNT TO BE REFUNDED	\$
01 FC:1617 130.00 UP				AMOUNT TO BE CHARGED	\$
02 FC:1618 130.00 UP <i>(Please note the filing fee is based on the claims in the Preliminary Amendment)</i>					
<p>a) <input checked="" type="checkbox"/> Check in the amount of \$130.00 to cover the above fees is enclosed.</p> <p>b) <input type="checkbox"/> Please charge my Deposit Account No 50-1529 in the amount of \$ .00 to cover the fee..</p> <p>c) <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)</p> <p>d) <input type="checkbox"/> Fee are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.</p>					
<b>SEND ALL CORRESPONDENCE TO:</b> <b>Gerald H. Kiel.</b> <b>Reed Smith LLP (Customer No. 026418)</b> <b>599 Lexington Avenue</b> <b>New York, NY 10022-7650</b>				Signature:	
				Attorney:	Gerald H. Kiel
				Reg. No.	25,116
				Date:	January 3, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,508	Roft Meyer	GK-EIS-1106/5000593.20099
		INTERNATIONAL APPLICATION NO.
		PCT/EP04/12200
		I.A. FILING DATE
		PRIORITY DATE
		10/28/2004 10/31/2003
CONFIRMATION NO. 6657		
371 FORMALITIES LETTER		
 *OC000000021072037*		

Date Mailed: 11/03/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/28/2006
- Copy of the International Search Report filed on 04/28/2006
- Copy of IPE Report filed on 04/28/2006
- U.S. Basic National Fees filed on 04/28/2006
- Priority Documents filed on 04/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

**DOCKET**

*File Jan. 3, 2007 Elected Decl. + Translation due  
 DUE June 3, 2007 Deadline*

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://spotal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,508	PCT/EP04/12200	GK-EIS-1106/5000593.20099

FORM PCT/DO/EO/905 (371 Formalities Notice)